

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CWP-25819 of 2018

Date of decision: - 26.08.2019

Anita Bala

....Petitioner

Versus

State of Punjab and others

.....Respondents

CORAM : HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present:- Ms. Manpreet Kaur, Advocate for the petitioner.

Mr. Navdeep Chhabra, D.A.G., Punjab.

Mr. Vikrant Sharma, Advocate for respondent No. 4.

Mr. Rajesh Hooda, Advocate for respondent No. 5.

Harsimran Singh Sethi, J. (Oral)

In the present writ petition, the claim which is being raised by the petitioner is for release of the Provident Fund, which respondent No. 4 has deducted and the same be deposited with respondent No. 5.

Learned counsel for the respondents state that petitioner has already approached respondent No. 5 under Section 7-A of Employees' Provident Fund and Miscellaneous Provisions Act, 1952 for the grant of the same relief. Learned counsel for the respondents further state that even otherwise, the dispute in this writ petition is between the employee and the Management for which the petitioner has to approach the Educational Tribunal at first instance keeping in view the law laid down by this Court in

CWP No.25942 of 2012 titled as Suresh Sharma Vs. State of Punjab and others, decided on 11.04.2019, which order has already been upheld by the

Division Bench in *LPA No.892 of 2019 titled as Surinder Krishan Sharma Vs. State of Punjab and others,* on 09.05.2019, wherein, it has been held that at the first instance, an employee, having a dispute with the Management, has to raise the same before the Educational Tribunal.

Faced with this situation, learned counsel for the petitioner prays that he be allowed to withdraw the present writ petition with liberty to avail the appropriate remedy for the redressal of the grievance of the petitioner before Educational Tribunal as raised in the present writ petition.

Dismissed as withdrawn, with the liberty, as prayed for.

(HARSIMRAN SINGH SETHI)
JUDGE

August 26, 2019
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Whether reasoned/speaking? *Yes*
Whether reportable? *No*